

UNITED STATES DISTRICT COURT - DISTRICT OF NEW HAMPSHIRE
ANDRE BISASOR, Plaintiff,

v.

CRAIG S. DONAIS; RUSSELL F. HILLIARD; DONAIS LAW OFFICES, PLLC;
UPTON & HATFIELD, LLP; and MARY K. DONAIS, Defendants.

Case No.1:23-cv-00374-JL

**[EXPEDITED] MOTION TO CONFIRM TIME ALLOTTED AND AGENDA FOR CASE
MANAGEMENT CONFERENCE ON 11/30/23**

1. I, the plaintiff, hereby respectfully submit this **motion to confirm the time allotted and the agenda for the upcoming case management conference on 11/30/23.**
2. On 11/21/23, the court sua sponte set a date of 11/30/23 for a case management conference.
3. There was no indication of the time allotted or the agenda.
4. On 11/21/23, an email was generated from the court to all parties with an invitation to a video/zoom hearing for 11/30/23. The judge and several clerk staff were copied on that email.
5. On 11/22/23, I responded to that email asking whether I can ask there about the time allotted or of I need to file a motion.
6. After the holiday, on or about 11/27/23, the clerk staff informed me that there are about 30 minutes allotted for the upcoming hearing.
7. I also asked about the agenda so that I can know what to prepare. The clerk staff stated that they do not know for certain the agenda but informed me that it is a case management conference and because it is only a case management conference, then, given that there a number of motions pending, it will likely involve the setting of dates for responses or replies to motions or setting dates for hearings. I asked this question because I would like to know what is the agenda for the case management conference, so that I am prepared and not caught off guard and so I can anticipate how much time I will need to address the items on the agenda.
8. Hence, in the abundance of caution, I am filing this motion to confirm that 30 minutes will be allotted and that the agenda will be a case management agenda. I am doing so for two reasons: 1) I have not and am not preparing to argue the substance of any motion nor to resolve any motion pending nor to offer

evidence or confidential materials at this hearing. I want to ensure that I am not surprised by something that I am not or have not prepared for, which would infringe upon my due process rights. 2) I want to ensure that equal time is provided to me to speak in this hearing on any case management issue that may be discussed, in light of the fact that there are at least 3 defense lawyers¹ that will be appearing at the hearing. 3 lawyers speaking will easily eat up 30 minutes of time, leaving me little leftover time or fighting for air.

9. NB: I have seen happen before where a court can forget that it is only me on one side facing several lawyers on the other side, and neglect to balance out the time so that I am not drowned out or railroaded in the hearing and before you know the time has passed and the court has a hard stop for another hearing, leaving me frustrated that I did not get to speak or to address any points from the other side or statements by the court.
10. So, if the judge is in accord with what the clerk staff informed me², then this motion is only a formality and no response may be necessary and I will simply show up at the hearing to address the case management issues presented by the court. However, if the judge does not agree with what the clerk staff told me, then this will be a problem because I will not be able to prepare for anything else by the time I hear back from the court and by the hearing tomorrow morning at 11am. Moreover, if the judge disagrees with the what the clerk staff told me, I would like to know if there is a substantial departure from what the clerk staff informed me of and if so, what does that entail.
11. I am hereby requesting expedited treatment, if necessary, although the expedited nature and basis of this request should be self-evident.

¹ There are at least two other lawyers, totaling 5 that I am aware of (and there are likely more lawyers working in the background at these big law firms, in addition to other associates and paralegals, etc.) that have entered appearances on this case and are or have been working on this case, starting from state court and then upon transfer to MA federal court. Although, after transfer to this court, there are 3 lawyers that have active appearances in this court, I do not know if the other two lawyers will be appearing at the hearing.

² NB: I am just trying to make sure everyone is on the same page here.

12. Please construe this motion liberally. I was not sure how to go about writing this motion or exactly what relief I should request. But I know wanted to raise this issue to the court in the abundance of caution.
13. Accordingly, I respectfully request that the Court grant the relief requested in this motion.

Respectfully submitted,
/s/Andre Bisasor
Plaintiff Andre Bisasor

November 29, 2023

CERTIFICATE OF SERVICE

This filing is served to all parties of record via the e-filing system.

/s/Andre Bisasor
Andre Bisasor